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#9/B PB  
11-7-03  
PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
TAKEHIKO NAKAI ) Examiner: Leonidas Boutsikaris  
Application No.: 09/960,283 ) Group Art Unit: 2872  
Filed: September 24, 2001 )  
For: DIFFRACTIVE OPTICAL ELEMENT )  
AND OPTICAL SYSTEM HAVING )  
THE SAME ) September 25, 2003

Commissioner for Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Preliminary to continued examination on the merits, a Request for Continued Examination (RCE) being submitted herewith, Applicant's respectfully request that the above-identified application be amended as follows. The claim amendments are reflected in the listing that begins at page 2. The remarks begin at page 8.

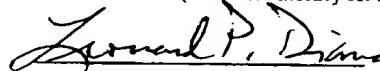
I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 25, 2003

(Date of Deposit)

LEONARD P. DIANA, Reg. No. 29,296

(Name of Attorney for Applicant)



Signature

September 25, 2003

Date of Signature

**FITZPATRICK, CELLA, HARPER & SCINTO**

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**FACSIMILE COVER SHEET**

**TO:** Leo Boutsikaris, Ph.D.

**FROM:** Kathleen Kelly

**RE:** Application No: 09/960,283

**FAX NO.:** 1-703-308-6097

**DATE:** November 7, 2003

**NO. OF PAGES:** 14  
*(including cover page)*

**TIME:**

**SENT BY:**

**MESSAGE**

Pursuant to your telephone conversation today with Leonard Diana, attached is a copy of the RCE and Preliminary Amendment which was filed in this application on September 25, 2003. If we can be of any further help, please let us know.

**IF YOU DO NOT RECEIVE ALL THE PAGES  
PLEASE CALL 212-218-2100 AS SOON AS POSSIBLE.**

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